IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.720 OF 2006
IN
EXECUTION APPLICATION NO.20 OF 1998
IN
APPEAL NO.525 OF 1994
IN
SUIT NO.3033 OF 1994

Ramzanali G Hussain Ramodiya & Ors...Applicants
Versus
Hamida Karim Ramodiya & ors. ..Respondents

Mr.Rakesh Pandey i/by M.U.Pandey for applicants.

Mr.Sanjeev Singh for defendants.

Mr.Dhanjay Singh for respondents.

Coram : R.S.Mohite,J

Date : 27.11.2006.

PC

1. The applicants have filed the precipe for withdrawal of the Chamber summons with liberty to file afresh. Chamber summons is allowed to be withdrawn but no such liberty is granted. It is also pointed out to me that number of Chamber summons have been taken out by the original defendants and strictures have been passed by this Court (Kochar,J). In the circumstances, cost of Rs.10,000/- is imposed. It is brought to my notice that earlier order of payment of cost of Rs.25,000/- has also not been complied with. Plaintiff will be at liberty to move for appropriate relief pertaining to recovery of cost. The cost earlier imposed and

the cost imposed by this order will be deposited in this Court within 3 weeks from today. As and when both the costs are deposited, liberty to the original plaintiffs to withdraw the amount without any condition. Chamber summons stands disposed off.

(R.S.Mohite,J)